



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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STATE PUBLIC WORKS BOARD

September 8, 2017

PROPOSED MINUTES

PRESENT:

Ms. Eraina Ortega, Chief Deputy Director, Department of Finance
Mr. Jeff McGuire, Chief Deputy Director, Department of General Services
Mr. Malcolm Dougherty, Deputy Director, Department of Transportation
Mr. Tom Yowell, State Controller's Office
Mr. Blake Fowler, State Treasurer's Office

CALL TO ORDER AND ROLL CALL:

Ms. Eraina Ortega, Chairperson of the Board called the meeting to order at 10:02 a.m.
Ms. Patrice Coleman, Executive Assistant for the Board, called the roll. A quorum was established.

BOND ITEMS:

The first order of business was to consider two Bond Items.

- Bond Item 1: Ms. Lukenbill, Deputy Director of the Board, indicated to the Board that if approved, Bond Item 1 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions for construction of the new Air Resources Board Southern California Consolidation Project in Riverside County.

Staff recommended adoption of the resolution.

Ms. Ortega asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Mr. Yowell and seconded by Mr. Dougherty to approve and adopt the resolution for the bond item. The motion was passed unanimously through a roll call vote 5-0 (Mr. Yowell, Mr. Dougherty, Mr. Fowler, Ms. Ortega, and Mr. McGuire all voting aye).

- Bond Item 2: Ms. Lukenbill indicated to the Board that if approved, Bond Item 2 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions for construction of the California Military Department's Consolidated Headquarters Complex in Sacramento County.

Staff recommended adoption of the resolution.

Ms. Ortega asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Mr. Dougherty and seconded by Mr. Yowell to approve and adopt the resolution for the bond item. The motion was passed unanimously through a roll call vote 5-0 (Mr. Dougherty, Mr. Yowell, Mr. Fowler, Ms. Ortega, and Mr. McGuire all voting aye).

Ms. Ortega asked if there were any questions or comments from the Board, or from the public. There were none.

MINUTES:

The next order of business was to consider approving the minutes from the August 14th Board meeting. Ms. Lukenbill reported that staff had prepared and reviewed the minutes from the August 14th Board meeting and recommended approval of those meeting minutes.

Ms. Ortega asked if there were any questions or comments regarding the minutes. There were none.

A motion was made by Mr. McGuire and seconded by Mr. Dougherty to approve the minutes. The minutes were approved by a 3-0 vote (Mr. McGuire, Mr. Dougherty, and Ms. Ortega all voting aye).

CONSENT ITEMS:

The next order of business was the consent calendar. Ms. Lukenbill informed the Board that the Consent Calendar consisted of two items.

- Consent Item 1: Consider authorizing acquisition and the execution of a Property Acquisition Agreement and other such documents as may be required to approve the acquisition, for the Department of Parks and Recreation, Sacramento Railyards/Old Sacramento State Historic Park in Sacramento County.
- Consent Item 2: Consider approving an augmentation and recognizing revised project costs for 18 Health Care Facility Improvement Program Projects for the Department of Corrections and Rehabilitation.

Ms. Lukenbill reported that Consent Item 2 required a 20-day notice to the Joint Legislative Budget Committee, and comments were received from the JLBC on this item on August 22, 2017. The JLBC did not object to the request; however, they did recommend heightened legislative oversight as the projects move forward.

Staff recommended approval of the Consent Calendar consisting of Consent Items 1 and 2.

Ms. Ortega asked if there were any questions or comments regarding the minutes. There were none.

A motion was made by Mr. Dougherty and seconded by Mr. McGuire to approve the consent calendar. The consent calendar was approved by a 3-0 vote (Mr. Dougherty, Mr. McGuire, and Ms. Ortega all voting aye).

ACTION ITEMS:

The next order of business was to hear the Action Items.

- Action Item 1: Ms. Lukenbill informed the Board that if approved, the requested action would authorize site selection of nine parcels in Fresno and Kern Counties for the High Speed Train System project.

Staff recommended the Board authorize site selection of nine parcels in Fresno and Kern Counties.

Ms. Ortega asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Mr. McGuire and seconded by Mr. Dougherty to approve the Action Item. The Action Item was approved by a 3-0 vote (Mr. McGuire, Mr. Dougherty and Ms. Ortega all voting aye).

- Action Item 2: Ms. Lukenbill informed the Board that if approved, the action would adopt three Resolutions of Necessity authorizing the use of eminent domain to acquire properties in Kings and Kern Counties, totaling approximately 24 acres.

Ms. Lukenbill noted that one objection letter was received on the Schroeder/J.D. Properties parcel, alleging numerous reasons for the objection including incomplete project design, and multiple violations of the Code of Civil Procedure and Government Code.

Ms. Harjinder Chima, acting counsel to The Board on eminent domain issues, presented the Resolutions of Necessity. Ms. Chima reported that the proposed Resolutions of Necessity before the Board had been reviewed, to ensure that they comply with the conditions set forth in Code of Civil Procedure Section 1245.230. Specifically, Ms. Chima verified that each Resolution provides:

1. The public interest and necessity require the Project;
2. That the proposed Project is planned and located in a manner that will provide the greatest public good with the least private injury;
3. The acquisition property described in Exhibit A to each of the Resolutions is necessary for the project; and
4. The offers of just compensation required by Government Code section 7267.2 have been made to all owners of record as required by the statute.

Ms. Ortega asked if there were any questions or comments from the Board, or from the public. Mr. Dougherty asked a question regarding the objection based on the project design not yet being finalized. He inquired as to whether the design was final enough to move forward with the acquisition. Ms. Chima indicated that the concern expressed in the objection letter was that the design plan was not complete; however, she noted that as a design build project where the corridor and footprint are well-defined, and that the property owner is aware that their property is needed for the project. Mr. Dougherty stated he doesn't want to find the Board in a position to reconsider the action based on the design, indicating his understanding is that the design is set

with a high confidence level to move forward with the footprint right away. Ms. Chima stated that was correct.

Ms. Ortega asked if there was any property owners present. There were none. Ms. Ortega asked if there was any other question or comments from the Board or public. There were none.

A motion was made by Mr. Dougherty and seconded by Mr. McGuire to approve the Action Item. The Action Item was approved by a 3-0 vote (Mr. Dougherty, Mr. McGuire, and Ms. Ortega all voting aye).

Ms. Lukenbill then presented the reportable items, and told the Board that she would be happy to answer any questions. The Board had none.

NEXT MEETING:

Ms. Ortega stated the next Board meeting is scheduled for Monday, September 18, 2017 at 10:00 a.m. in Room 112 at the State Capitol.

Ms. Ortega asked if there were any comments or questions from the Board or the public. There were none. The meeting was adjourned at 10:11 a.m.